



ADMINISTRATION AND
MANAGEMENT

OFFICE OF THE SECRETARY OF DEFENSE
1950 DEFENSE PENTAGON
WASHINGTON, DC 20301-1950

January 15, 2008

MEMORANDUM FOR COMMITTEE MANAGEMENT SECRETARIAT
GENERAL SERVICES ADMINISTRATION

SUBJECT: Committee Charter Consultation – Western Hemisphere Institute for
Security Cooperation Board of Visitors

The Office of the Secretary of the Army has requested renewal of the charter for the Western Hemisphere Institute for Security Cooperation Board of Visitors (Attached).

The Department of Defense, pursuant to the Federal Advisory Committee Act of 1972 (5 U.S.C., Appendix, as amended) and 41 CFR, § 102-3.60, has carefully reviewed the Department of the Army's request, and has determined that renewing the charter for this non-discretionary federal advisory committee is in the best interest of the Department of Defense and the American public.

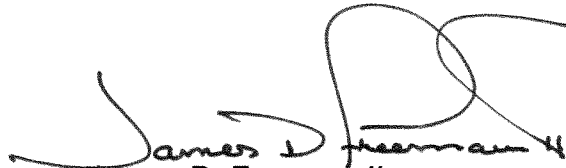
The Department of Defense has further determined that this non-discretionary advisory committee is essential to DoD's mission, and that no other DoD or Executive Branch advisory committee can meet these needs. The Board of Visitors (BoV), thorough its membership, continues to provide oversight of the Institute, and provides a valuable interagency working group to improve the quality of education and student life at the Institute. In addition, the interaction of the BoV members, to include Members of Congress, religious institutions and human rights organizations, have been instrumental in restoring International Military Education and Training funding to countries in the Western Hemisphere.

Section 2166(e)(1) of title 10, United States Code determines the make-up of the Board of Visitors and the number of committee members. Individuals, appointed by the Secretary of Defense, who are not full-time employees shall serve as Special Government Employees under the authority of 5 U.S.C. § 3109. With the exception of travel and per diem for official travel, the BoV members shall serve without compensation.

The committee is authorized to establish subcommittees, and the committee, to include any subcommittees, will operate under the provisions of the Federal Advisory Committee Act of 1972, the Sunshine in the Government Act of 1976 (5 U.S.C. § 552b, as amended), and 41 CFR, Parts 102-3 through 102-3.185.

Prior to submitting a Federal Register notice and subsequently filing the committee's charter with the Library of Congress and the appropriate congressional committees, the Department of Defense respectfully requests that the Committee Management Secretariat review and approve the charter (attached). The charter has been reviewed and approved by the Office of the General Counsel for the Department of Defense.

If you should have any questions about this charter please contact me at 703-601-2554, extension 128.

A handwritten signature in black ink, appearing to read "James D. Freeman II", with a large, stylized flourish extending from the end of the signature.

James D. Freeman II
Deputy Committee Management
Officer for the Department of Defense

2 Attachments
As stated

TAB 1



DEPARTMENT OF THE ARMY
ADMINISTRATIVE ASSISTANT TO THE SECRETARY OF THE ARMY
105 ARMY PENTAGON
WASHINGTON DC 20310-0105

DEC 28 2007

**MEMORANDUM FOR DIRECTOR, ADMINISTRATION AND MANAGEMENT, OFFICE
OF THE SECRETARY OF DEFENSE**

**SUBJECT: Renewal of the Western Hemisphere Institute for Security Cooperation
Board of Visitors Charter**

This memorandum requests renewal of the Western Hemisphere Institute for Security Cooperation Board of Visitors (WHINSEC BOV) Charter, which expires on 31 January 2008. The WHINSEC BOV is a Department of Defense Federal Advisory Committee under the purview of the Secretary of the Army.

As required by DoDI 5105.04, Enclosure 3, paragraph E3.4.6.2.1, justification for recommending renewal is included with the Charter (attached). Review of the WHINSEC BOV Charter resulted in a determination that it remains accurate, and thus no changes were necessary.

My point of contact for this action is Marla-Jo Bonuccelli. She may be reached at 703-602-6268 or marla-jo.bonuccelli@hqda.army.mil.


JOYCE E. MORROW

CHARTER

WESTERN HEMISPHERE INSTITUTE FOR SECURITY OPERATIONS BOARD OF VISITORS

- A. Official Designation: The Committee shall be known as the Western Hemisphere Institute for Security Cooperation (WHINSEC) Board of Visitors (hereafter referred to as the Board).
- B. Objectives and Scope of Activity: The Board, under the provisions of 10 U.S.C. § 2166 (e), and the Federal Advisory Committee Act of 1972, as amended, shall provide the Secretary of Defense, through the Secretary of the Army, independent advice and recommendations on matters pertaining to the operations and management of the Institute. Under the provisions of 10 U.S.C. § 2166 (e) the Board shall:
- 1) Inquire into the curriculum instruction, physical equipment, fiscal affairs, and academic methods of the Institute, other matters related to the Institute that the Board decides to consider, and any other matter that the Secretary of Defense determines appropriate;
 - 2) Review the curriculum to determine whether it adheres to U.S. doctrine, complies with applicable U.S. laws or regulations, and is consistent with U.S. policy goals towards the Western Hemisphere; and
 - 3) Determine whether the Institute emphasizes human rights to include the rule of law, due process, civilian control of the military, and the role of the military in a democratic society.
- C. Board Membership: As prescribed by 10 U.S.C. § 2166 (e) (1) the thirteen-member Board shall be composed of:
- 1) Two Members of the Senate (the Chair and Ranking Member of the Armed Services Committee or their designees);
 - 2) Two Members of the House of Representatives (the Chair and Ranking Member of the Armed Services Committee or their designees);
 - 3) One person designated by the Secretary of State; the senior military officer responsible for training and education in the U.S. Army (or designee); the Commander, U.S. Southern Command (or designee); and
 - 4) Six persons designated by the Secretary of Defense including, to the extent practicable, persons from academia, religious institutions, and human rights communities.

Board Members appointed by the Secretary of Defense, who are not full-time Federal officers or employees, shall serve as Special Government Employees under the authority of 5 U.S.C. § 3109. Those Board Members appointed by the Secretary of Defense shall be appointed for a two-year term, and may be extended for an additional term of two years. With the exception of travel and per diem for official travel, all members shall serve without compensation.

Whenever possible, appointments shall be staggered to avoid the complete turnover of Board Members at any one time. In addition, the Board may be assisted by non-voting subject matter experts or consultants. These consultants are designated at the request of the Board by the Secretary of the Army with the concurrence of the Secretary of Defense.

- D. Board Meetings: The Board shall meet at the call of the Designated Federal Officer, in consultation with the Chair, and the estimated number of Board meetings is two per year. The Board shall be authorized to establish subcommittees, as necessary, to fulfill its mission, and these subcommittees shall operate under the provisions of the Federal Advisory Committee Act of 1972, as amended.
- E. Duration: The need for this advisory function is on a continuing basis, but its charter is subject to renewal every two years.
- F. Agency Support: The Department of Defense, through the Secretary of the Army, shall provide administrative and support services as deemed necessary for the performance of the Board's functions, and shall ensure compliance with reporting requirements of 5 U.S.C. § App. 2 Section 6.
- G. Termination Date: The Board shall terminate upon rescission of 10 U.S.C. § 2166 (e).
- H. Operating Costs: It is estimated that the total annual operating costs, to include staff salaries, travel costs, and meeting and contract support is approximately \$125,000.00 and 2.0 Full-Time Equivalents (FTEs).
- I. Filing Date:

Memorandum for the Record

Rationale provided by the Western Hemisphere Institute for Security Cooperation (WHINSEC) to renew their Charter and continue their Board of Visitors. Information received via e-mail dated 6 November 2007.

Responses are below the points mentioned in the the DoD Instruction 5105.04:

...indicate whether or not the Committee is accomplishing its mission

- o Yes, as evidenced below, the Western Hemisphere Institute for Security Cooperation (WHINSEC) Board of Visitors (BoV) is successfully accomplishing its mission.

...provide rationale for the Committee's continued operation and specify the Committee's accomplishments with regard to the DoD

- o The WHINSEC BoV continues to provide oversight of WHINSEC, reviews the curriculum, provides contacts for DoD, and serves as a valuable inter-agency working group to improve the quality of education and student life at WHINSEC. In addition, it works to ensure the continued funding of the Institute. WHINSEC is a unique international school in that it is partially funded with security assistance dollars (i.e.-- International Military Education and Training--IMET). The BoV has, through its congressional membership and the Commander of U.S. Southern Command (also a BoV Member), worked to restore IMET funding to countries in the Western Hemisphere that had previously had their funds restricted by Congress. Without these funds, certain countries subsequently did not have the money to send students to WHINSEC (and other related schools).

...explain why the Committee's operations could not be performed by existing DoD resources and/or absorbed by another existing DoD-Supported Committee and indicate what type of impact the discontinuation of the Committee could have on the Department of Defense

- o WHINSEC is under continuous congressional scrutiny--a holdover from the School of the Americas. It requires a Board of Visitors with congressional members from both the House and Senate, the State Department, relevant Combatant Commanders, and appropriate DoD appointees from academia, religious institutions, and human rights communities to work together to address the issues raised by Members of Congress and other interested parties. The WHINSEC BoV has a unique make-up and provides the necessary forum/opportunity for DA/DoD to coordinate strategic communication efforts with other agencies. Without it, the United States Government could lose a valuable foreign policy tool, whereby military, civilian, and police from throughout the Western Hemisphere are able to train together and build friendships.

-- Information provided to Marla-Jo Bonuccelli, DA GFO
by Greg Pierce, WHINSEC BOV Action Officer on 6 November
and received/finalized on 9 November 2007

TAB 2

CHARTER
WESTERN HEMISPHERE INSTITUTE
FOR SECURITY OPERATIONS BOARD OF VISITORS

- A. Official Designation: The Committee shall be known as the Western Hemisphere Institute for Security Cooperation Board of Visitors (hereafter referred to as the Board).
- B. Objectives and Scope of Activity: The Board, under the provisions of 10 U.S.C. § 2166(e), and the Federal Advisory Committee Act of 1972 (5 U.S.C., Appendix, as amended), shall provide the Secretary of Defense, through the Secretary of the Army, independent advice and recommendations on matters pertaining to the operations and management of the Institute. Under the provisions of 10 U.S.C. § 2166(e) the Board shall:
- 1) Inquire into the curriculum instruction, physical equipment, fiscal affairs, and academic methods of the Institute, other matters relating to the Institute that the Board decides to consider, and any other matter that the Secretary of Defense determines appropriate;
 - 2) Review the curriculum to determine whether it adheres to U.S. doctrine, complies with applicable U.S. laws and regulations, and is consistent with U.S. policy goals towards the Western Hemisphere; and
 - 3) Determine whether the Institute emphasizes human rights to include the rule of law, due process, civilian control of the military, and the role of the military in a democratic society.
- C. Board Membership: As prescribed by 10 U.S.C. § 2166(e)(1), the thirteen-member Board shall be composed of:
- 1) Two Members of the Senate (the Chair and Ranking Member of the Armed Services Committee or their designees);
 - 2) Two Members of the House of Representatives (the Chair and Ranking Member of the Armed Services Committee or their designees);
 - 3) One person designated by the Secretary of State; the senior military officer responsible for training and education in the U.S. Army (or designee); the Commander, U.S. Southern Command (or designee); and
 - 4) Six persons designated by the Secretary of Defense including, to the extent practicable, persons from academia, religious institutions, and human rights communities.

Board Members appointed by the Secretary of Defense, who are not full-time Federal officers or employees, shall serve as Special Government Employees under the authority of 5 U.S.C. § 3109. Those Board Members appointed by the Secretary of Defense shall be appointed for a two-year term, which may be extended for an additional term of two years, and with the exception of travel and per diem for official travel, they shall serve without compensation.

Whenever possible, appointments shall be staggered to avoid complete turnover of Board Members at any one time. In addition, the Board may be assisted by non-voting subject matter experts or consultants. These consultants are designated at the request of the Board by the Secretary of the Army with concurrence of the Secretary of Defense.

- D. Board Meetings: The Board shall meet at the call of the Designated Federal Officer, in consultation with the Chairperson, and the estimated number of Board meetings is two per year.

The Designated Federal Officer shall be a full-time or permanent part-time DoD employee, and shall be appointed in accordance with established DoD policies and procedures. In addition, the Designated Federal Officer shall attend all Board and subcommittee meetings.

The Board shall be authorized to establish subcommittees, as necessary and consistent with its mission, and these subcommittees or working groups shall operate under the provisions of the Federal Advisory Committee Act of 1972, the Government in the Sunshine Act of 1976 (5 U.S.C. § 552b, as amended), and other appropriate federal regulations.

Such subcommittees or workgroups shall not work independently of the chartered Board, and shall report all their recommendations and advice to the Board for full deliberation and discussion. Subcommittees or workgroups have no authority to make decisions on behalf of the chartered Board nor can they report directly to the Department of Defense or any Federal officers or employees who are not Board Members.

- E. Duration: The need for this advisory function is on a continuing basis, but its charter is subject to renewal every two years.
- F. Agency Support: The Department of Defense, through the Secretary of the Army, shall provide administrative and support services as deemed necessary for the performance of the Board's functions, and shall ensure compliance with reporting requirements of 5 U.S.C., Appendix, as amended.
- G. Termination Date: The Board shall terminate upon recession of 10 U.S.C. § 2166(e).
- H. Operating Costs: It is estimated that the total annual operating costs, to include staff salaries, travel costs and meeting and contract support is approximately \$125,000.00 and 2.0 Full-Time Equivalent (FTE).
- I. Recordkeeping: The records of the Board and its subcommittees shall be handled according to section 2, General Records Schedule 26 and appropriate DoD policies and procedures. These records shall be available for public inspection and copying, subject to the Freedom of Information Act of 1966 (5 U.S.C. § 552, as amended).
- J. Filing Date: